IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital December 17, 2005
Criminal Misc. Bail Application No. 1088/2005
Order on the bail application of accused.

CRIMINAL SIDE

1. Afzal Ahmad S/O Sri Eqrar Ahmad
   R/O Moh. Gotiya, Khatima, P.S. Khatima
   Distt. Udham Singh Nagar.
2. Intzar Ahmad S/O Sri Riyaz Ahmad,
   R/O Neuriya P.S. Neuriya, District Pilibhit

…..Applicants

Versus

State of Uttaranchal ..... Opposite Party.

Arising out of Case Crime No. 429 of 2005
U/S 420, 120B IPC & Sec. 43, 65, 66 The Information Technology Act 2000
Police Station Dharchula
District Pithoragarh

By the court

Hon'ble B.S.Verma, J.

Heard Sri Dharamveer Sharma, Senior Advocate, learned counsel for the applicant, and learned A.G.A. for the State.

The applicants have applied for bail in Case Crime No. 429/2005, under Section 420, 120-B of the I.P.C. and Sec. 43, 65, 66 of the Information Technology Act 2000 of Police Station Dharchula, district Pithoragarh.

Perused the record. It has been contended by the learned counsel for the applicant that the offences are triable by the Magistrate and the applicants are confined in jail since 2-9-2005. It has also been contended that there is delay in lodging the F.I.R.

Having considered the fact that the accused are lodged in jail for more than 3,1/2 months and the offences are triable by the Magistrate as well the circumstances of the case and the submissions of the learned counsel for the applicants made in that behalf. I am of the view that it is a case fit for bail.

Let the applicants-accused be released on bail on each of them executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

Dated: 17-12-2005 **(B.S. Verma, J.)**
RCP